

Attorney Docket No. 034223.002

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Confirmation No.: 3892

Nobuyuki TOKURA, et al.

International Application No.: PCT/JP 2004/009634 Group Art Unit: To Be Assigned

International Filing Date: July 7, 2004

Examiner: To Be Assigned

Serial No.: 10/562,696

Filed: December 30, 2005

For : TRANSMISSION CAPACITY ALLOCATION METHOD,
COMMUNICATIONS NETWORK, AND NETWORK RESOURCE
MANAGEMENT DEVICE

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/
ELECTED OFFICE (DO/EO/US)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A Response to the Notification of Missing Requirements Under 35 U.S.C. 371, mailed April 10, 2008 is due by June 10, 2008. Applicants file herewith the following documents relating to the above-identified application:

- * A copy of the Notice of Missing Requirements;
- * Change of Correspondence Address Application;
- * Executed Assignment (2 pages), with Assignment Recordation Cover Sheet;
- * Executed Declaration/Power of Attorney (2 pages); and
- * Check for \$520.00 in payment of the following:
 - Late declaration surcharge (\$130);
 - Recordation fee (\$40); and
 - Excess claim fee (\$350).

06/05/2008 LLANDGRA 00000052 10562696

01 FC:1615
02 FC:1617

350.00 OP
130.00 OP

<p><i>Effective on 12/08/2004.</i> <i>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</i></p> <h2 style="margin: 0;">FEE TRANSMITTAL</h2> <h3 style="margin: 0;">for FY 2005</h3>		<p><i>Complete if Known</i></p>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10/562,696
		Filing Date	December 30, 2005
		First Named Inventor	Nobuyuki TOKURA
		Examiner Name	Not Yet Assigned
		Art Unit	Not Yet Assigned
TOTAL AMOUNT OF PAYMENT \$520.00		Attorney Docket No.	034223.002

METHOD OF PAYMENT (check all that apply)

☒ Check
 ☐ Credit Card
 ☐ Money Order
 ☐ None
 ☐ Other (please identify) : _____

☒ Deposit Account
 Deposit Account Number: **02-4300**
 Deposit Account Name: **Smith, Gambrell & Russell, LLP**

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below,
☒ Charge any additional fee(s) or underpayments of fee(s) ☐ Credit any overpayments
 Under 37 CFR 1.16 and 1.17

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	310	155	510	255	210	105	
Design	210	105	100	50	130	65	
Plant	210	105	310	155	160	80	
Reissue	310	155	510	255	620	310	
Provisional	210	105	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Small Entity Fee (\$)	Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	210	105
Multiple dependent claims	370	185

Total Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**
 27-20 or HP= 7 x \$50 = 350

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims **Extra Claims** **Fee (\$)** **Fee Paid (\$)**
 3- 3 or HP= 0 \$210 =

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	0 / 50 =	0 (round up to a whole number) x		= 0

4. OTHER FEE(S)


	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	
Other (e.g., late filing surcharge): Late Filing Surcharge	\$130.00
Recordation Assignment Fee	\$40.00

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	Telephone
Name (Print/Type)	Dennis C. Rodgers	32,936	202 263 4300
			Date
			June 4, 2008

If any additional fees are due in connection with this filing, such as fees under 37 C.F.R. §§ 1.16 or 1.17, the Commissioner is authorized to charge the fees to SGR Deposit Account No. 02-4300. Please credit any overpayment to SGR Deposit Account No. 02-4300.

Respectfully submitted,
SMITH, GAMBRELL & RUSSELL, LLP

By :


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Date : June 4, 2008